

Office of Environmental Quality Control THE ENVIRONMENTAL NOTICE

*A Semi-Monthly Bulletin published pursuant to
Section 343-3, Hawai'i Revised Statutes*

David Y. Ige, Governor
Scott Glenn, Director

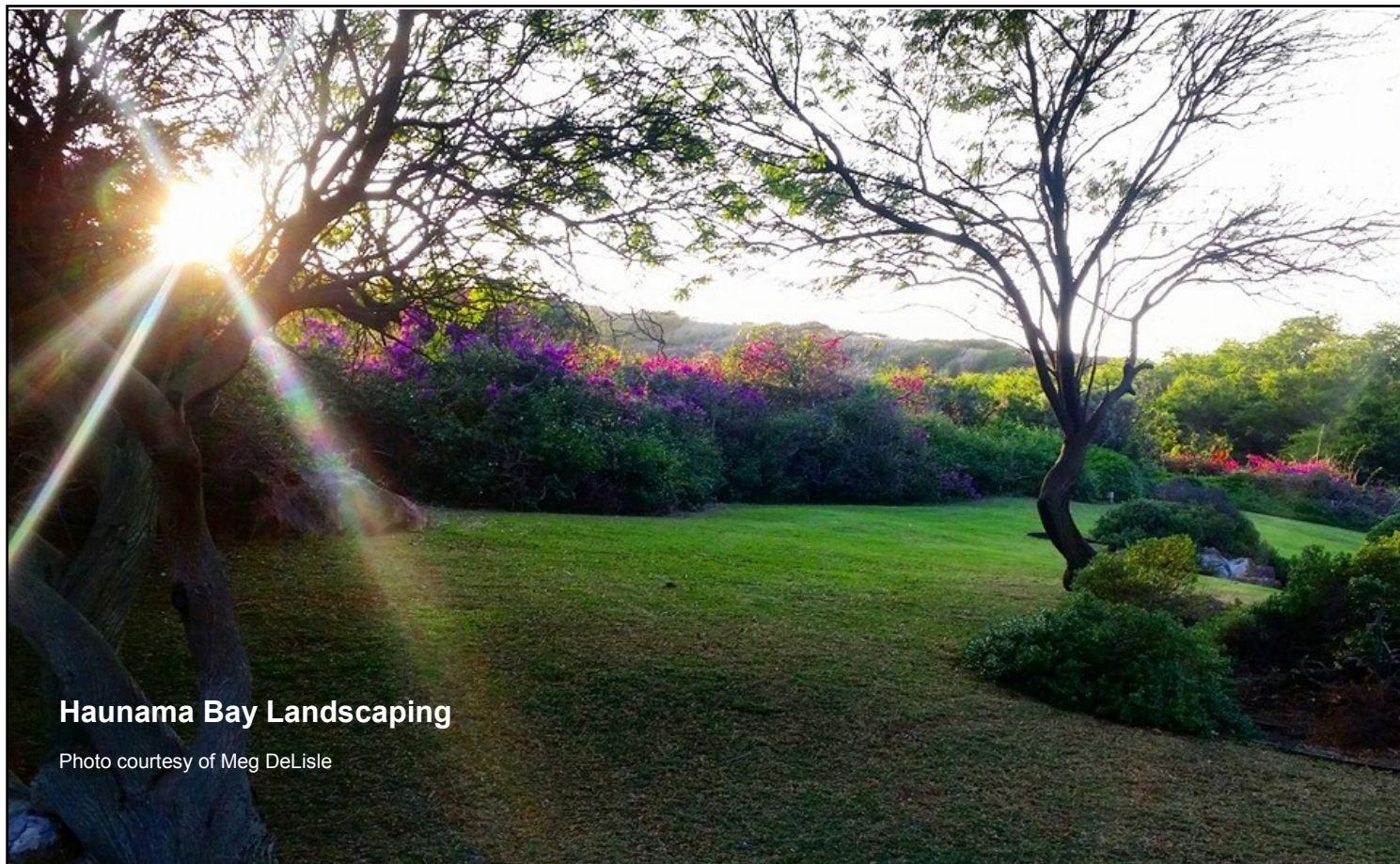
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April 8, 2016

The Environmental Notice provides public notice for projects undergoing environmental review in Hawai'i. This is mandated under [Section 343-3, Hawai'i Revised Statutes](#) (HRS), the Environmental Impact Statement Law. Along with publishing Environmental Assessments (EAs) and Environmental Impact Statements (EISs) for projects in Hawai'i, The Environmental Notice also covers other items related to the shoreline, coastal zone, and federal actions.

The Environmental Council (EC) nominees have completed their confirmation process. The EC now has 12 duly appointed and confirmed members. The EC will hold the following meetings on Tuesday, April 12 at the Leiopapa A Kamehameha, 235 S. Beretania Street, 15th Floor Conference Room:

- 11:00-11:59 PM Exemption Committee ([Agenda](#))
- 12:00-12:59 PM Information and Outreach Committee ([Agenda](#))
- 1:00-3:30 PM Environmental Council Meeting ([Agenda](#))

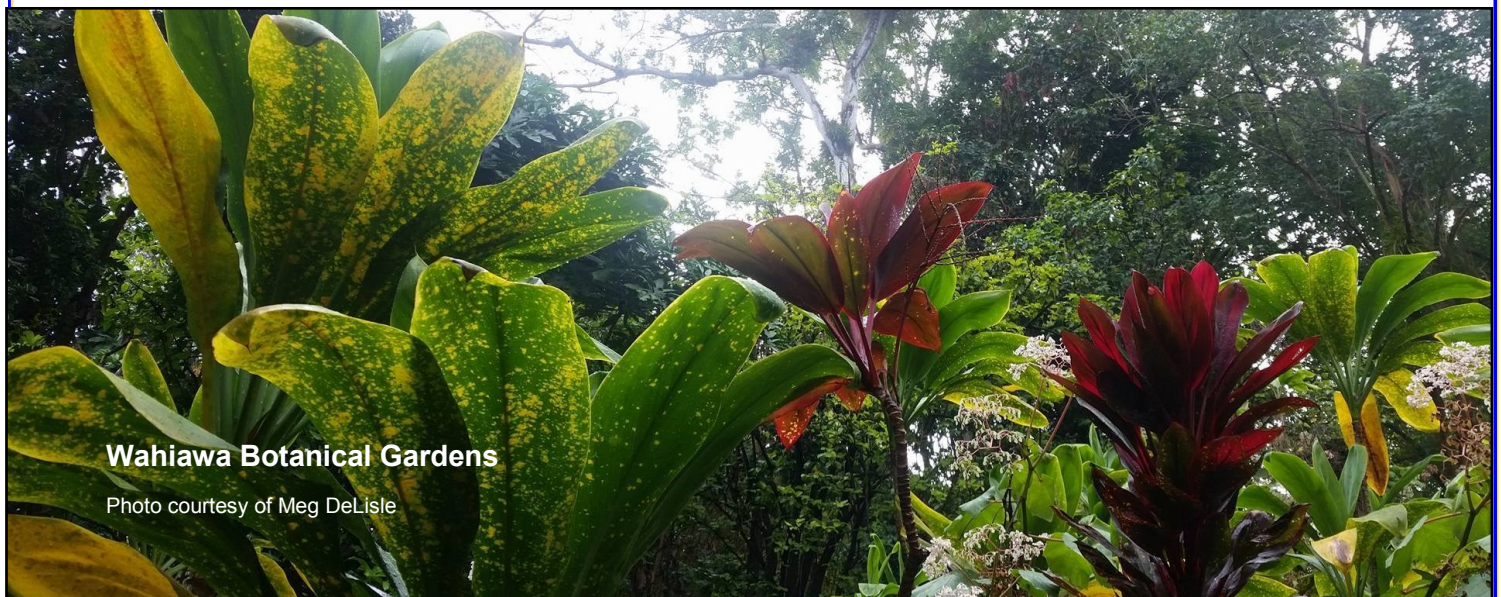


Haunama Bay Landscaping

Photo courtesy of Meg DeLisle

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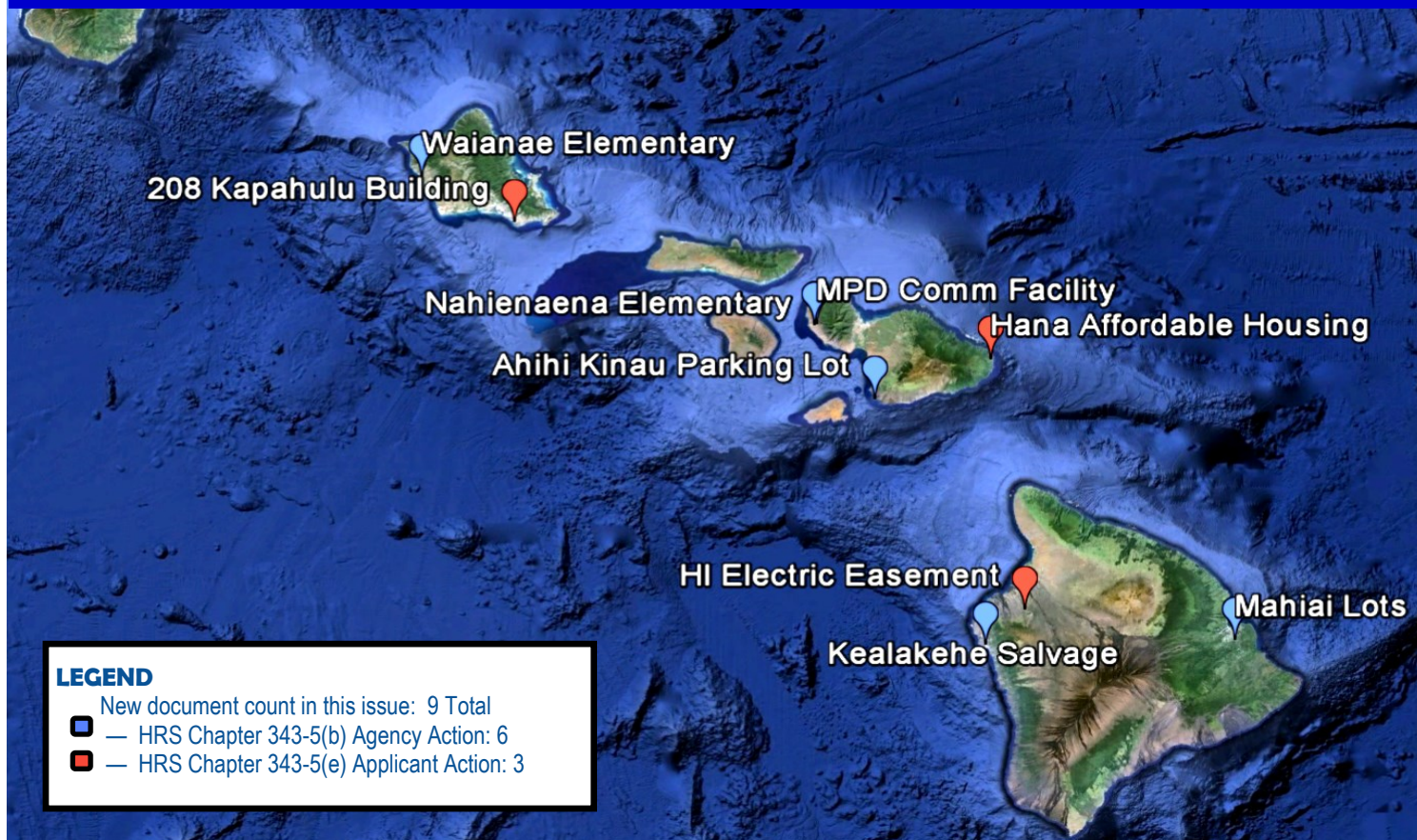
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Wahiawa Botanical Gardens

Photo courtesy of Meg DeLisle

STATEWIDE MAP OF NEW HRS CHAPTER 343 PROJECTS



HAWAII

1. Former Kealakehe Metal Salvage Facility Remediation and Closure DEA (AFNSI)

HRS §343-5

Trigger(s) Use of State land, use of State and county funds, land classified as conservation district

District: North Kona

TMK: (3) 7-4-020:16 (portions of)

Permits: NPDES, grading permit

**Proposing/
Determining
Agency:**

County of Hawai'i Department of Environmental Management
345 Kekūanā'ō'a Street, Ste. 4, Hilo, HI 96720

Consultant: BJ Leithead Todd, cohdem@hawaiicounty.gov (808) 961-8083
Integral Consulting Inc. 94-515 Uke'e St. #301, Waipahu, HI 96797
Dennis Poma, dpoma@integral-corp.com (808) 739-7055

Status: Statutory 30-day public review and comment period starts; comments are due by May 9, 2016. Please send comments to the Proposing/
Determining Agency and copy the consultant.



The subject property was used as a metal salvage facility for several decades before operations ceased in 2013. During prior site investigations, lead was found in site soils. The lead-contaminated soil that remains on the subject property presents a potential hazard by direct contact and must be addressed. Closure and remediation actions are required by the solid waste permit for the former metal salvage facility, issued by the State of Hawai'i Department of Health (HDOH). The proposed action consists of offsite landfill disposal of all non-recyclable waste

materials and contaminated soils. The objective of the proposed project is to remediate the subject property to HDOH standards by eliminating the existing environmental impacts. The proposed action: is anticipated to adequately manage hazards associated with lead-contaminated soil, is practical to implement, and will allow for future beneficial use of the subject property.

No adverse impacts are anticipated upon project completion. Potential short-term impacts may be created by the generation of dust, noise, runoff, additional vehicular traffic, and disturbance of seabirds flying over the facility during debris/soil removal and offsite landfill disposal. Mitigation measures will be implemented to address these potential short-term impacts.

2. Pana'ewa Agricultural Lots Subdivision-Mahi'ai Lot FEA (FONSI)

HRS §343-5

Trigger(s): Proposed use of State or county lands or funds
District: South Hilo
TMK: (3) 2-2-061:002
Permits: Subdivision Underground Injection Control (UIC), NPDES, Grubbing/Grading, Noise, Individual Wastewater System Approval (by future lessee of each lot), Building (by future lessee of each lot)

Proposing/ Determining Agency:

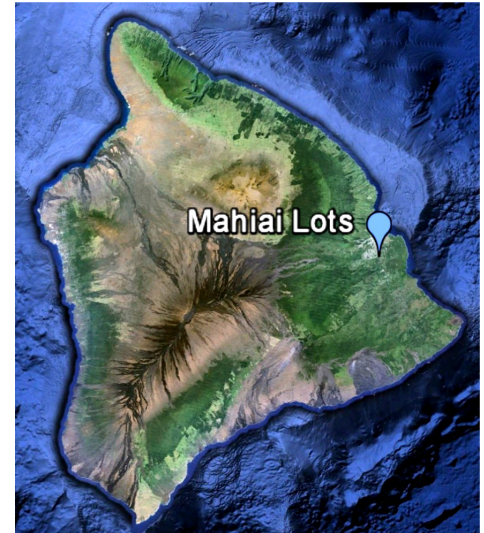
State of Hawai'i Department of Hawaiian Home Lands
 91-5420 Kapolei Parkway Kapolei, HI 96707
 Niniau Simmons, niniau.simmons@hawaii.gov (808) 620-9513

Consultant:

PBR HAWAII & Associates, Inc.,
 1001 Bishop Street, Suite 650 Honolulu, HI 96813
 Roy Takemoto, rtakemoto@pbrhawaii.com (808) 521-5631

Status:

Finding of No Significant Impact (FONSI) Determination; comments are not taken on this action.



The State Department of Hawaiian Home Lands (DHHL) is proposing to subdivide a 10-acre parcel into 16 lots at a minimum lot size of half-acre ("Project"). The proposed use of State land triggers the preparation of an Environmental Assessment (EA) in compliance with Chapter 343, HRS. DHHL previously filed a Draft EA that included this Project and four other 10-acre lots (published in the July 23, 2015 Environmental Notice). The Draft EA referred to the four other 10-acre lots as the "Auwae Lots" and this Project as the "Mahi'ai Lot".

3. Hawai'i Electric Light Easement Modification and Access Road Construction at Pu'uwa'awa'a DEA (AFNSI)

HRS §343-5

Trigger(s): Use of State Land
District: North Kona
TMK: (3) 7-1-002:013 (por.)
Permits: BLNR approval of the easement review, and approval of plans by the DLNR Engineering Branch

Approving Agency:

State of Hawai'i Department of Land and Natural Resources, Land Division, Hawaii District, 75 Aupuni Street, Rm 204, Hilo, HI 96720
 Wesley T. Matsunaga, Land Agent, wesley.t.matsunaga@hawaii.gov (808) 961-9590

Applicant:

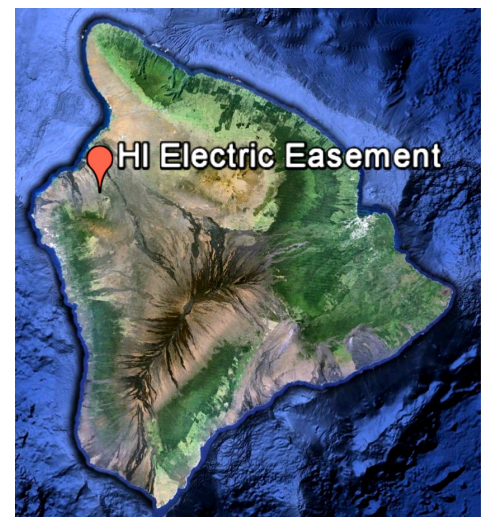
Hawaii Electric Light, 54 Halekauila St, Hilo, HI 96720
 Leila Beals, leila.beals@hawaiielectriclight.com (808) 969-0263

Consultant:

Geometrician Associates, PO Box 396, Hilo HI 96721
 Ron Terry, rterry@hawaii.rr.com (808) 969-7090

Status:

Statutory 30-day public review and comment period starts; comments are due by May 9, 2016. Please send comments to the approving agency and copy the consultant and applicant.



Hawai'i Electric Light is applying to the BLNR for a modification of one of its 69kV transmission line easements over State land at Pu'uwa'awa'a to allow construction of a 15-foot wide, 450-foot long unpaved road so that it can replace and maintain a power pole. Hawai'i Electric Light is currently replacing its aging poles along Māmalahoa

Highway with upgraded, sturdier poles capable of bearing the area's wind loads. Adequate road access is essential for replacement and future maintenance. Standard best management practices will be implemented to minimize erosion and the risk of wildfire. No archaeological, cultural or biological resources are present. The corridor already has poles and wires and the ground surface is not highly visible from public locations, and scenic impacts would be negligible.

MAUI

4. Parking Lot Improvements at 'Ahihi Kina'u Natural Area Reserve FEA (FONSI)

HRS §343-5

Trigger(s): Use of State lands or funds, Use in a conservation district
District: Makawao
TMK: (2) 2-1-004:073
Permits: Conservation District Use Permit, Special Management Area Permit, County Construction Permits (Grading and Grubbing)

**Proposing/
Determining
Agency:**

State of Hawai'i Department of Land and Natural Resources
 1151 Punchbowl St., Room 325 Honolulu, HI 96813
 Peter Landon, peter.landon@hawaii.gov (808) 268-8699

Consultant: WCP, Inc., 99-061 Koaha Way Suite #208, 'Aiea, Hawaii 96701
 Richard Stook, rstook@wcphawaii.com (808) 242-0218

Status: Finding of No Significant Impact (FONSI) Determination; comments are not taken on this action.



The proposed project consists of improving an existing parking area by constructing a concrete-paved parking lot approximately 31,000 square feet in size. The proposed parking lot will consist of 55 delineated, marked parking stalls (including three (3) accessible stalls that meet the requirements of the American with Disabilities Act), a toll booth or an automated parking fee machine (for non-resident visitors), an emergency vehicle access/staging area, separate ingress and egress gates, and a one-way internal traffic circulation pattern.

The overall purpose and need of the project is to alleviate vehicular/pedestrian congestion and safety issues by providing organized parking and controlled traffic circulation through establishment of marked stalls, wide access aisles, unidirectional traffic flow, and dedicated ingress and egress points. Additionally, the project also fulfills specific, established goals, objectives, and strategic management actions identified in the 'Ahihi Kina'u Natural Area Reserve Management Plan including, but are not limited to, improving and maintaining visitor facilities within the Reserve (including parking areas), limiting the number of vehicle in the Kanahena parking area by establishing parking stalls, and charging a nominal parking fee for non-residents visitors.

5. Hana Affordable Housing Development DEA (AFNSI)

HRS §343-5

Trigger(s): Use of State or county funds
District: Hana
TMK: (2) 1-3-004:001 portion
Permits: Maui County 201H Affordable Housing Application, Building, Wastewater Discharge, Grading and Grubbing, NPDES, Air Pollution Control, Community Noise, Drainage Approval

**Approving
Agency:**

Maui County Department of Housing and Human Concerns
 2200 Main St., Suite 546, Wailuku, HI 96793
 Carol Reimann, carol.reimann@co.maui.hi.us (808) 270-7805
 Mr. Gabriel Hoeffken, 561 Papipi Road, Kula, HI 96790
 gabe@tomsbackhoe.com (808) 357-2727

Applicant:

Consultant: Chris Hart and Partners, Inc., 115 N. Market St., Wailuku, HI 96793; Mr. Jordan E. Hart, jhart@chpmaui.com (808) 242-1955

Status: Statutory 30-day public review and comment period starts; comments are due by May 9, 2016. Please send comments to the approving agency and copy the consultant.



The proposed project is a 100% affordable single family residential development that will include construction of a total of 24 single family homes with necessary supporting infrastructure and roadway access to Hana Highway. The 24 lots are a minimum of 10,000 square feet in size and therefore will allow for 'ohana units. The single family homes will be built in accordance with the single family residential construction standards.

Associated infrastructure improvements include paved roadways, grassed swales, driveways and graded building pads and landscape planting. The right-of-way width for the access driveway will be forty four (44) feet wide with twenty (20) feet of pavement. The road shoulders will be grassed and there are no concrete curbs, gutters and sidewalks proposed with this project. All utilities will be overhead for electrical, telephone and cable TV.

Of the proposed 24 single-family dwellings, ten of these will service people 80% and below median income; the remaining 14 will service those between 140% and 90% and below. The exact breakdown will depend on actual cost of development, demand from the Hana community, and where individuals and families fall in the affordable spectrum.

6. Maui Police Department Communications Facility at Lahaina Water Treatment Plant FEA (FONSI)

HRS §343-5

Trigger(s): Use of State land and county funds

District: Lahaina

TMK: (2) 4-6-018:012 (por.)

Permits: Federal Communications Commission licenses/approvals; National Historic Preservation Act Section 106 approval; Endangered Species Act Section 7 approval, Noise, Building and related permits, and Grading

Proposing/ Determining

Agency: Maui Police Department, County of Maui
55 Mahalani Street, Wailuku, HI 96793

Walter H. Pacheco, walter.pacheco@mpd.net (808) 244-6400

Consultant: Munekiyo Hiraga, 305 High Street, Suite 104, Wailuku, HI 96793
Marisa Fujimoto, planning@munekiyohiraga.com (808) 244-2015

Status: Finding of No Significant Impact (FONSI) Determination; comments are not taken on this action.



The Maui Police Department (MPD) proposes construction of a new communications facility that will meet departmental needs in terms of coverage, reliability, capacity, and security. The MPD-owned and operated facility will provide secure microwave radio transmissions and will enhance the existing communications infrastructure and provide a secure communications facility for governmental agencies and facilities that provide public health, safety, emergency, and educational services within the County of Maui, including transmissions for First Responder emergency communications.

The proposed communications facility will be located at the County of Maui Department of Water Supply's (DWS) Lahaina Water Treatment Plant (WTP), approximately 700 feet east of Lahainaluna High School. The proposed facility will include a small single-story equipment building with a radio room and generator room, approximately 264 square feet in area, and a self-supported communication tower, approximately 45 feet in height. The facility will be built within the secured area of the one (1) million gallon tank at the Lahaina WTP.

7. Princess Nahi'ena'ena Elementary School Classroom Building DEA (AFNSI)

HRS §343-5

Trigger(s): Use of State land and funds

District: Lahaina

TMK: (2) 4-6-018: 013 por.

Permits: NPDES, Variance from Pollution Controls, Historic Site Review, Building, Grading, Grubbing, Cert of Occupancy, Fire Protection

Proposing/ Determining

Agency: Department of Education, State of Hawai'i Project Management Section, 4680 Kalaniana'ole Hwy, TB1A, Honolulu, HI 96821
Janna Mihara, janna_mihara@notes.K12.hi.us (808) 377-8314
Consultant: Gerald Park Urban Planner, 95-595 Kaname'e Street #324
Mililani, HI 96789
Gerald Park, gpark@gpup.biz (808) 625-9626



Status: Statutory 30-day public review and comment period starts; comments are due by May 9, 2016. Please send comments to the Proposing/Determining Agency and copy the consultant

The Department of Education proposes to construct a two-story, 8 classroom building and outdoor learning area at Princess Nahi'ena'ena Elementary School. Located at the uppermost section of the campus, the approximately 2.0 acre site was previously graded and is currently covered by assorted dry grasses. The site is not used for school activities. The classroom building will be erected on a portion of an undeveloped site and the remainder improved for outdoor learning and activities. The outdoor learning area will be grassed, landscaped, and feature a covered structure to be built as a "classroom without walls".

The cost of the project is estimated at \$7.24 million. Construction is projected to commence in April 2017 with completion by Summer 2018.

O'AHU

8. 208 Kapahulu/2583 Kūhiō Restaurant/Retail Building FEA (FONSI)

HRS §343-5

Trigger(s): Proposed use within Waikīkī Special District
District: Honolulu
TMK: (1) 2-6-027:001, (1) 2-6-027:048, and (1) 2-6-027:052
Permits: Special District Permit (Major), Joint Development Agreement or Subdivision/Consolidation, Building, Trenching, Grading, Right-of-Way, Sewer Connection Application, NPDES

Approving

Agency: City and County of Honolulu Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96813
 Mark Taylor, mtaylor1@honolulu.gov (808) 768-8020

Applicant: Malu Investments I, LLC dghhawaii@gmail.com
Consultant: PBR HAWAII & Associates, Inc., 1001 Bishop St., Suite 650 Honolulu, HI 96813; Tom Schnell, tschnell@pbrhawaii.com (808) 521-5631

Status: Finding of No Significant Impact (FONSI) Determination; comments are not taken on this action.

Malu Investments intends to construct a new restaurant/retail building, approximately 4,980 square feet in size, and related site improvements, such as a small parking lot and a loading area, outdoor seating area, and landscaping. The restaurant/retail building will be built on three contiguous, vacant parcels totaling approximately 0.3093 acres on the northwest corner of Kūhiō Avenue - Kapahulu Avenue. The building will be designed to accommodate up to three tenants, but Malu Investments currently intends to lease the entire building and premises to a single tenant for use as a Denny's restaurant. The Final EA discusses potential impacts and proposes mitigation measures. Based on the information provided in the Final EA, the approving agency, the City and County of Honolulu Department of Planning and Permitting, has issued a Finding of No Significant Impact (FONSI).



9. Wai'anae Elementary School Administration/Student Support Center DEA (AFNSI)

HRS §343-5

Trigger(s): Use of State funds and Located on State and county lands
District: Wai'anae
TMK: (1) 8-5-1:067 (por.) and (1) 8-5-9:018 (por.)
Permits: Building/Electrical/Plumbing, Grading, Grubbing, Trenching, Stockpiling, Sewer Connection, NPDES, Construction Storm Water

**Proposing/
Determining**

Agency: State of Hawai'i, Department of Education, Facilities Development Branch, 3633 Wai'alae Avenue, 2nd Floor, Honolulu, HI 96816
 Brenda Lowrey, Brenda_Lowrey/FacilDev/HIDOE@notes.k12.hi.us (808) 377-8312

Consultant: Group 70 International, Inc., 925 Bethel Street, 5th Floor Honolulu, HI 96813; Christine Mendes Ruotola, cruotola@group70int.com (808) 523-5866



Status: Statutory 30-day public review and comment period starts; comments are due by May 9, 2016. Please send comments to the Proposing/Determining Agency and copy the consultant.

The Wai'anae Elementary School Administration/Student Support Center project will provide a new administration building and student support center on the campus to support the existing school staff. The project will also include a drop off area, conversion of grass parking area to paved parking lot, and an extension of the driveway to McArthur Street.

The administration building will be built during Phase I of the project and will be located on the northwest edge of the existing open field. The new 7,824 square foot (sf) building will provide a new working space for the Administrative staff at the school. The project will also help to provide a clear entryway to the front of the school and will enable staff to maintain a visual perspective of the overall campus.

The student support center will be built during Phase II of the project and will be located to the east of the existing portables and west of the library. The 5,164 sf building will support daily and ongoing student support services for the school's students. Phase II will also include a one-way circulated parking area and extension to McArthur Street which will provide a secondary exit to the school site.

OPEN HRS CHAPTER 343 DOCUMENTS

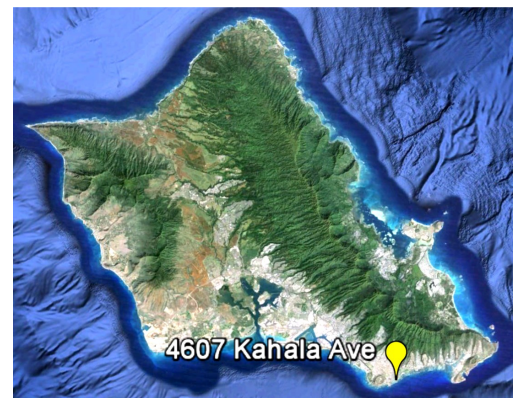
Status: Statutory public review and comment period for these projects began March 23, 2016; comments are due April 22, 2016. Please send comments to the relevant agency and copy any relevant applicant or consultant.

- [Keauhou Bay Offshore Moorings Project DEA](#)
- [Poohohoo Reservoir No 2 Decommissioning DEA](#)
- [Alder Street Rental Housing and Juvenile Services DEA](#)
- [Hau'ula Well Replacement DEA](#)
- [Mākaha Beach Landing Cable System DEA](#)
- [Makiki Baseyard Improvements DEA](#)

CHAPTER 25, REVISED ORDINANCES OF HONOLULU

4607 Kāhala Avenue

District: Honolulu
TMK: (1) 3-5-005:016
Permits: Certified Shoreline Survey, Special Management Area Use Permit Major, Minor Shoreline Structure Permit, Building Permits, Sidewalk/Driveway Work, Grading Grubbing Trenching and Stockpiling Permits, Sewer Connection Permits, Plan Approval, Street Usage
Approving Agency: City and County of Honolulu, Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, HI 96822
 Malynne Simeon, msimeon@honolulu.gov (808) 768-8023
Applicant: 4607 Kāhala LLC, 822 Bishop Street, Honolulu, Hawai'i 96813
 Craig McGinnis, cmcginnis@abprop.com (808) 525-8430
Consultant: Group 70 International Inc., 925 Bethel Street, 5th Floor
 Honolulu, HI 96822; Jeff Overton, 4607kahala@group70int.com (808) 523-5866
Status: Finding of No Significant Impact (FONSI) Determination; comments are not taken on this action.



4607 Kāhala LLC is planning to redevelop a residential site located at 4607 Kahala Avenue. The site is approximately 1.3 acres located on the makai side of Kāhala Avenue near Hunakai Street. Under the existing R-7.5 zoning and allowed density, the current plans call for six new homes in three two-family dwellings. The homes will be set back 25 feet from Kāhala Avenue, and be consistent with the character of the neighborhood with native and tropical landscaping throughout the property. The site is located within the City's Special Management Area (SMA). This EA is prepared in compliance with Chapter 25, Revised Ordinances of Honolulu.

COASTAL ZONE MANAGEMENT NOTICES

Federal Consistency Review

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, HRS. This public notice is being provided in accordance with section 306(d) (14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lāna'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878. For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review. Comments may be submitted by mail, electronic mail or fax.

Mail: Office of Planning
Department of Business, Economic Development and Tourism
P.O. Box 2359, Honolulu, HI 96804
Email: john.d.nakagawa@hawaii.gov

North Shore Greenway Phase IV, Pā'ia, Maui

Proposed Action: The County of Maui, Department of Public Works, is proposing to use federal funding from the Federal Highway Administration to construct Phase IV of the North Shore Greenway that will run from Ulupua Place in Pā'ia, to H.A. Baldwin Park where it will connect with the existing bike path. The new bike path will be constructed along the westbound shoulder of Hana Highway with a portion traversing the Maui Country Club and H.A. Baldwin Park. It will be 8 feet wide with asphaltic concrete pavement, and will be aligned approximately 7.5 feet from the pavement edge of Hana Highway. The North Shore Parkway is a seven mile pedestrian and bike path that runs from Kahului to Pā'ia. Phase IV is the final link to complete the path and will link Spreckelsville to H.A. Baldwin Park.

Applicant:	County of Maui, Department of Public Works
Agent:	Colleen Suyama, Muneakiyo Hiraga, (808) 244-2015
Location:	Ulupua Place to H.A. Baldwin Park, Pā'ia, Maui
TMK:	(2) 3-8-1; (2) 3-8-1:71; (2) 2-5-5:46
Federal Action:	Federal Assistance
Federal Agency:	Federal Highway Administration
CZM Contact:	John Nakagawa, (808) 587-2878, john.d.nakagawa@hawaii.gov
Comments Due:	April 22, 2016

Nai'a off Waikīkī

Photo courtesy of Meg DeLisle



Special Management Area Permits

The SMA Minor permits below have been approved (HRS 205A-30). For more information, contact the relevant county/State planning agency. Honolulu (768-8014); Hawai'i (East 961-8288, West 323-4770); Kaua'i (241-4050); Maui (270-7735); Kaka'ako or Kalaeloa Community Development District (587-2841).

Location (TMK)	Description (File No.)	Applicant/Agent
O'ahu: Kahuku (5-7-001: 013)	Turtle Bay Resort Cove Beach Cabanas, Pathways, Showers and Drainage Improvements (2016/SMA-6)	Turtle Bay Resort, LLC / Belt Collins Hawaii, LLC
O'ahu: Kahalu'u (4-7-013: 015)	HECO Waihe'e Substation (Fence) (2016/SMA-12)	Hawaii Electric Co., Inc. / Planning Solutions

SHORELINE NOTICES

Shoreline Certifications and Rejections

The shoreline notices below have been proposed for certification or rejection by the Department of Land and Natural Resources (HRS 205A-42 and HAR 13-222-26). Any person or agency who wants to appeal shall file a notice of appeal in writing with DLNR no later than 20 calendar days from the date of this public notice. Send the appeal to the Board of Land and Natural Resources, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813.

File No.	Proposed/ Rejected	Location	Applicant/Owner	TMK
OA-1658	Proposed Shoreline Certification	Lot 776-C (Map 97) of Land Court Application 1089 situate at Waialua, O'ahu Address: 67-435 Waialua Beach Rd Purpose: Construction	Sam O.Hirota, Inc./ Waialua Beach Land Co. Makai LLC	(1) 6-7-013:035
OA-1683	Proposed Shoreline Certification	Kualoa Beach Lots, Lot 22 situate at Kualoa, Ko'olaupoko, O'ahu Address: 49-565 Kamehameha Hwy Purpose: Building improvement	Hawaii Land Consultants/ Kualoa Ranch Inc.	(1) 4-9-009:008
KA-400	Proposed Shoreline Certification	Lots 45, 46 & 47 Land Court Application 1160 (Map 7) situate at Hanalei, Halele'a, Kaua'i Address: 4990, 5000 & 5010 Weke Road Purpose: Setback determination	Honua Engineering, Inc./ Kauikeolani, LLC	(4) 5-5-001:019, 020 & 021
KA-401	Proposed Shoreline Certification	Lots 41, 42, 43 & 44 Land Court Application 1160 (Map 7) situate at Hanalei, Halele'a, Kaua'i Address: 5020, 5032, 5042 & 5050 Weke Road Purpose: Setback determination	Honua Engineering, Inc./ Kauaiians, LLC	(4) 5-5-001:022, 023, 024, & 025
HA-516	Withdrawal	Parcel A, Lot 11-A, Lot B-3 & portion of Lot 13-A situate at Ouli, South Kohala, Island of Hawai'i Address: 62-100 Mauna Kea Beach Dr Purpose: Construction	Sam O.Hirota, Inc./ MKRS LLC	(4) 6-2-002:004, 014, 019, & 020

SHORELINE NOTICES

Shoreline Certification Applications

The shoreline certification applications below are available for review at the Department of Land and Natural Resources Offices on Kaua'i, Hawai'i, Maui, and Honolulu, 1151 Punchbowl Street, Room 220 (HRS 205A-42 and HAR 13-222-12). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawai'i 96813 and postmarked no later than 15 calendar days from the date of the public notice of the application. For more information, call Ian Hirokawa at (808) 587-0420.

File No.	Date	Location	Applicant/Owner	TMK
MA-636	3/10/16	The Hale Kai Condominium Lot being R.P. 4591, L.C. Aw. 3930, Ap. 1 to Nauwele; R.P. 4564, L.C. Aw. 4620, Ap. 5 to Kauaiuka and Grant 2-14008 to Haruko Kubo Omura; Lot 1 – Grant 12,920 to M. Kawaguchi (CSF 10572) and a portion of Lot 4 – Honokōwai Government Remnants situate at Honokōwai, Lāhainā, Maui Address: 3695 L. Honoapiilani Road Purpose: Amendment to Easement	Akamai Land Surveying, Inc./ AOAO Hale Kai	(2) 4-4-001:042
KA-410	3/23/16	Portion of Parcel 2 of Wailua River Park situate at Wailua and South Oloheua, Kawaihau, Kaua'i Address: n/a Purpose: Establish setback line for construction of new bike path	Lance T. Stevens/County of Kauai	(4) 4-3-002:por.001
KA-411	3/23/16	Lot 3 as shown on Map 2 of Land Court Application 889 situate at Waipouli, Kawaihau, Kaua'i Address: 650 Aleka Loop Purpose: Establish setback line for construction of new bike path	Lance T. Stevens/Kauai Coconut Beach, LLC	(4) 4-3-007:028

FEDERAL NOTICES

As a courtesy, listed below are relevant entries from the Federal Register, gleaned from a search of Hawai'i-based entries published since the last issue of The Environmental Notice. For the PDF file click on the title link, also available at <http://www.gpo.gov/fdsys/>

1. Designation and Nondesignation of Critical Habitat on Moloka'i, Lāna'i, Maui, and Kaho'olawe

The U.S. Fish and Wildlife Service (FWS), designate or revise critical habitat for 125 listed species on the islands of Maui, Moloka'i, and Kaho'olawe in the State of Hawai'i. FWS is designating critical habitat for 50 plant and animal species, and revising critical habitat for 85 plant species. In total, approximately 157,002 acres (ac) (63,537 hectares (ha)) on the islands of Moloka'i, Maui, and Kaho'olawe fall within the boundaries of the critical habitat designation. Although FWS proposed critical habitat on 25,413 ac (10,284 ha) on the island of Lanai, this area is excluded from final designation under section 4(b)(2) of the Endangered Species Act. In addition, under section 4(b)(2), approximately 59,479 ac (24,070 ha) on the islands of Maui and Moloka'i are excluded from critical habitat designation. These exclusions mean that FWS is not designating critical habitat for 10 of the species included in the proposed rule.

DATE: This rule is effective April 29, 2016. Click [here](#) for more information (See 81 FR 17789 March 30, 2016)

2. Western Pacific Fishery Management Council Public Meetings

The Western Pacific Fishery Management Council (Council) will convene a meeting of its Fishery Ecosystem Plan Team (Insular fisheries and Pelagic fisheries teams) and the Fishery Data Collection and Research Committee—Technical Committee (FDCRC–TC). The FEP Team will review the revised annual report to serve as the Stock Assessment and Fishery Evaluation (SAFE) Report for the Western Pacific region, conduct the evaluation

of the 2015 catches to the 2015 Annual Catch Limits (ACL) for the coral reef, crustacean, and Territory bottom-fish fisheries, and look at options for changing the current risk determination process and specification of optimum yield (OY). The FDCRC–TC will review the status of the data collection improvement efforts in the Western Pacific region and address the data collection gaps identified by the FEP Teams to support the monitoring of the fisheries in the SAFE report.

DATES: April 11–15, 2016 For specific times and agendas and for more information. Click [here](#) for more information (See 81 FR 17139, March 28, 2016).

3. Listing the Thresher Shark and Bigeye Thresher Shark Under the Endangered Species Act

The National Marine Fisheries Service (NMFS) has completed comprehensive status reviews under the Endangered Species Act for two species of thresher shark in response to petitions to list those species. These species are the common thresher shark (*Alopias vulpinus*) and the bigeye thresher shark (*Alopias superciliosus*). Based on the best scientific and commercial information available, including the status review report (Young et al., 2015), NMFS have determined that the common thresher and bigeye thresher do NOT warrant listing at this time. We conclude that neither species is currently in danger of extinction throughout all or a significant portion of its range nor likely to become so within the foreseeable future.

DATES: This finding was made April 1, 2016. Click [here](#) for more information (See 81 FR 18979, April 1, 2016).

4. Final Revision of Current Listings for Green Sea Turtle Under the Endangered Species Act

NMFS and United States Fish and Wildlife Service issue a final rule to list 11 distinct population segments (DPSs) of the green sea turtle (*Chelonia mydas*; hereafter referred to as the green turtle) under the Endangered Species Act (ESA). Based on the best available scientific and commercial data, and after considering comments on the proposed rule, they have determined that three DPSs are endangered species and eight DPSs are threatened species. This rule supersedes the 1978 final listing rule for green turtles. It applies the existing protective regulations to the DPSs.

DATES: This rule is effective May 6, 2016. Click [here](#) for more information (See 81 FR 20057, April 6, 2016).



SECTION 106 CONSULTATION

Proposed Undertaking Replacement of Exterior Door at Building 11 & Installation of Electrical Subpanel & Receptacle at Building 39006 at Ka'ena Point Satellite Tracking Station

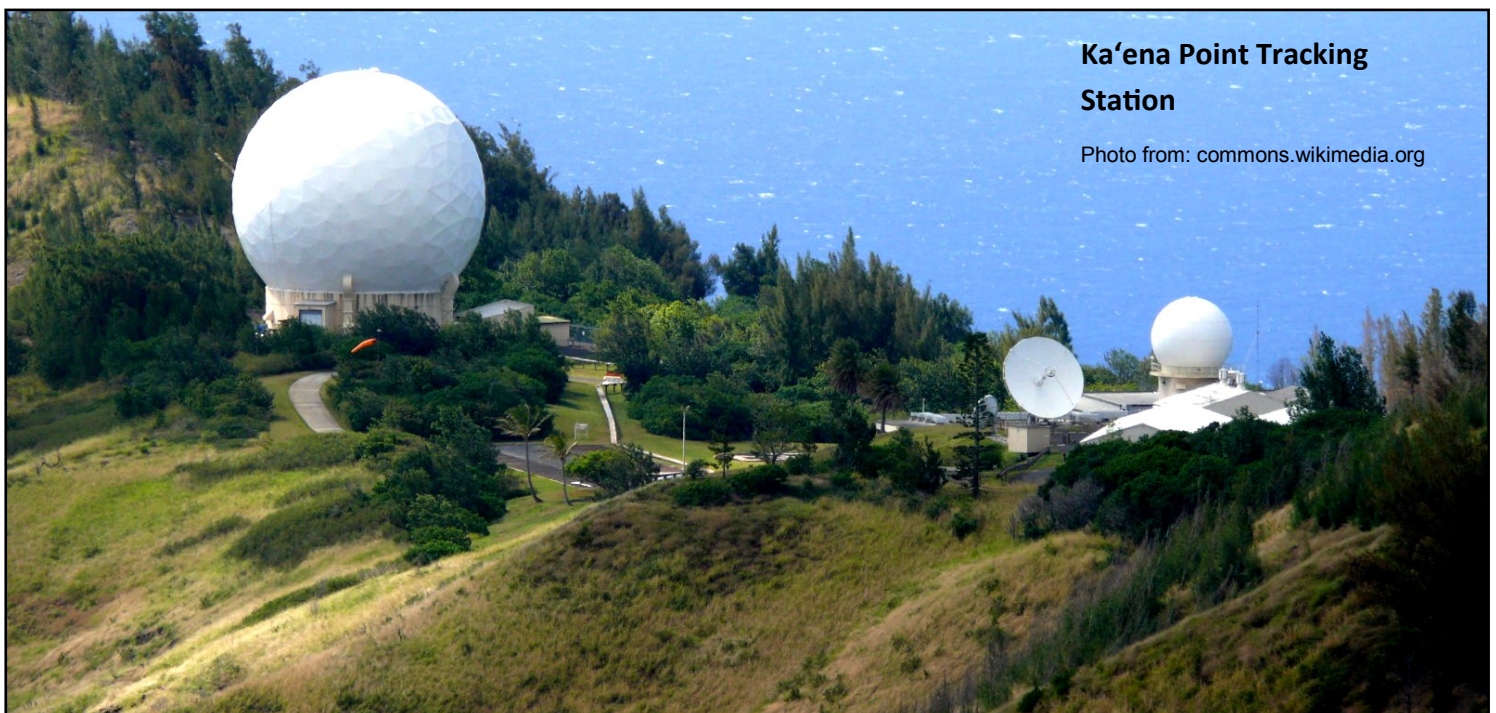
Island: O'ahu
District: Wai'anae and Waialua
TMKs: Project within (1) 6-9-003:005
Permits: N/A
Applicant/Proposing Agency: United States Air Force (USAF), Ka'ena Point Satellite Tracking Station Detachment 3, 21 Space Operations Squadron/CC
 10 Hickam Court, Unit 4, JBPHH, HI 96853-5208
 Mr. Lance Hayashi (808) 697-4314

Approving Agency: USAF, Ka'ena Point STS, Mr. Lance Hayashi (808) 697-4312
Consultant: N/A
Status: Comments due no later than April 22, 2016 to: Det 3, 21 SOPS/CC, 10 Hickam Court, Unit 4, JBPHH, HI 96853-5208; (808) 697-4314

The US Air Force (USAF), Detachment 3, 21st Space Operations Squadron (Det 3, 21 SOPS) at Ka'ena Point Satellite Tracking Station (KPSTS) proposes to replace a severely damaged exterior door and associated hardware on Building 11 and install an electrical subpanel system to support emergency back-up power requirements for HVAC at Building 39006.

KPSTS has requested SHPD's concurrence with its conclusion that the proposed undertaking will have "no adverse effect" on Archeological, Native Hawaiian Cultural Resources or Historic Properties.

The Section 106 consultation document will also be available for review at the Wai'anae Public Library and the Waialua Public Library during the review period ending on April 22, 2016.



GLOSSARY OF TERMS AND DEFINITIONS

Agency Actions

Any department, office, board, or commission of the state or county government which is part of the executive branch of that government per [HRS 343-2](#).

Applicant Actions

Any person who, pursuant to statute, ordinance, or rule, requests approval for a proposed action per [HRS 343-2](#).

Draft Environmental Assessment

When an Agency or Applicant proposes an action that [triggers](#) HRS 343, an Environmental Assessment shall be prepared at the earliest practicable time to determine whether the actions' environmental impact will be significant, and thus whether an environmental impact statement shall be required per [HRS 343-5\(b\)](#), for Agency actions and [HRS 343-5\(e\)](#), for Applicant actions. For actions for which the proposing or approving agency anticipates a Finding of No Significant Impact (AFNSI), a Draft EA (DEA) shall be made available for public review and comment for 30 days and public notice is published in this periodic bulletin.

Final Environmental Assessment and Finding of No Significant Impact

The Agency shall respond in writing to comments on a DEA received during the 30-day review period and prepare a Final EA (FEA) that includes those responses to determine whether an environmental impact statement shall be required. If there are no significant impacts, then the Agency will issue a Finding of No Significant Impact (FONSI). An Environmental Impact Statement (EIS) will not be required and the project has cleared HRS 343 requirements. The public has 30 days from the notice of a FONSI in this bulletin to ask a court to require the preparation of an EIS.

Final Environmental Assessment and Environmental Impact Statement Preparation Notice

An EIS shall be required if the Agency finds that the proposed action may have a significant effect on the environment. The Agency shall file notice of such determination with OEQC, called an EIS Preparation Notice (EISPEN) along with the supporting Final EA. After the notice of the FEA-EISPEN is published in this bulletin, the public has 30 days to request to become a consulted party and make written comments. The public (including the Applicant) has 60 days from the notice of the EISPEN in this bulletin to ask a court to not require the preparation of an EIS.

Act 172-2012, Direct-to-EIS, Environmental Impact Statement Preparation Notice (with no EA)

Act 172 in 2012 amended HRS 343 by providing for an agency to bypass the preparation of an environmental assessment for various actions that in the experience of the agency would clearly require the preparation of an EIS. Until administrative rules have been drafted, the agency must submit its determination that an EIS is required for an action (Act 172-2012, EISPEN) with a completed OEQC publication form detailing the specifics of the action to enable the public a 30-day period to request to be consulted parties in the preparation of the Draft EIS. Comments and responses on the EISPEN must be incorporated into the subsequent Draft EIS.

Act 312-2012, Secondary Actions in the Highway or Public Right Of Way

Act 312-2012, amended HRS 343, by adding a new section (HRS 343-5.5., entitled "Exception to applicability of chapter.") HEPA now allows for a statutory exception for "secondary actions" (those that involve infrastructure in the highway or public right-of-way) provided that the permit or approval of the related "primary action" (those outside of the highway or public-right-of-way and on private property) is not subject to discretionary consent and further provided that the applicant for the primary action submits documentation from the appropriate agency confirming that no further discretionary approvals are required. An aid to understanding this is to visualize residential driveway improvements in the public right-of-way, versus, retail outlet driveway improvements in the public right-of-way.

Draft Environmental Impact Statement

After receiving the comments on the EISPEN, the Agency or Applicant must prepare a Draft Environmental Impact Statement (DEIS). The [content requirements](#) of the DEIS shall contain an explanation of the environmental consequences of the proposed action including the direct, indirect and cumulative impacts and their mitigative measures. The public has 45 days from the first publication date in this bulletin to comment on a DEIS. The DEIS must respond to comments received during the EISPEN comment period in a point-by-point manner.

Final Environmental Impact Statement

After considering all public comments filed during the DEIS stage, the Agency or Applicant must prepare a [Final EIS](#) (FEIS). The FEIS must respond in a point-by-point manner to all comments from the draft and must be included in the FEIS. See here for [style](#) concerns. For Applicant projects, the Approving Agency is authorized to accept the FEIS and must do so within 30-days or the FEIS is accepted as a matter of law. For an Agency project, the Governor or the Mayor (or their designated representative) is the Accepting Authority, and unlike applicant actions, there is no time limit on the accepting authority reviewing the FEIS. Only after the FEIS is accepted may the project be implemented.

Acceptability

If the FEIS is [accepted](#), notice of this action is published in this bulletin. The public has 60 days from the date of notice of acceptance to ask a court to vacate the acceptance of a FEIS. For Applicant actions, non-acceptance by the Approving Agency is cause for the Applicant to administratively appeal to the Environmental Council. For Agency actions, there is no such administrative appeal. In both instances, the Applicant or the proposing Agency can prepare a revised DEIS after a non-acceptance determination.

National Environmental Policy Act

The National Environmental Policy Act (NEPA) requires federal projects to prepare an EA or EIS. In many ways it is similar to Hawaii's law. Some projects require both a State and Federal EIS and the public comment procedure should be [coordinated](#). OEQC publishes NEPA notices in this bulletin to help keep the public informed of important federal actions.

Conservation District

Any use of land in the State Conservation District requires a Conservation District Use Application (CDUA). These applications are reviewed and approved by the Board of Land and Natural Resources. Members of the public may intervene in the permit process. Notices of permit applications are published in this bulletin.

Special Management Area and Shoreline Setback Area

The Special Management Area (SMA) is along the coastline of all islands and development in this area is generally regulated by [HRS 205A](#), and county ordinance. A special subset of the SMA that is regulated by HRS 343, is the [Shoreline Setback Area](#). Most development in this area requires a Special Management Permit. This bulletin posts notice of these SMA applications to encourage public input.

Shoreline Certifications

State law requires that Hawai'i shorelines be surveyed and certified when necessary to clearly establish the shoreline setback from the certified shoreline. The public may participate in the process to help assure accurate regulatory boundaries. Private land owners often petition to have their shoreline certified by the State surveyor prior to construction. This bulletin publishes notice from the Department of Land and Natural Resources of shoreline certification applicants and final certifications or rejections.

Environmental Council

The [Environmental Council](#) is a 15-member citizen board appointed by the Governor. They serve as a liaison between the Director of OEQC and the general public concerning ecology and environmental quality. The Council makes the rules that govern the Environmental Impact Statement process (HRS 343). [Agendas](#) of their regular meetings are posted on the Internet and the public is invited to attend.

Administrative Exemption Lists

Government agencies must keep a list describing the minor activities they regularly perform that are [exempt](#) from the environmental review process. These lists and any amendments shall be submitted to the Council for review and concurrence ([HAR 11-200-8\(d\)](#)). This bulletin will publish an agency's draft exemption list for public comment prior to Council decision making, as well as notice of the Council's decision on the list.

Endangered Species

This bulletin is required by [HRS 343-3\(c\)](#), to publish notice of public comment periods or public hearings for [Habitat Conservation Plans](#) (HCP), [Safe Harbor Agreements](#) (SHA), or [Incidental Take Licenses](#) (ITL) under the federal Endangered Species Act, as well as availability for public inspection of a proposed HCP or SHA, or a proposed ITL (as a part of an HCP or SHA).

